

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAR 4 1991

Returned to applicant for correction APR 18 1991

Corrected application filed _____

Map filed _____

The applicant Marshall Earth Resources, Inc.

P.O. Box 888, of Virginia City,
Street and No. or P.O. Box No. City or Town

Nevada 89440, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) December 3, 1979 Reno, Nevada

1. The source of the proposed appropriation is Con-Virginia Adit
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.10 cubic feet second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet N/A

3. The water to be used for Dust control, mining and milling
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated N/A

(b) Stockwater, state number and kinds of animals to be watered N/A

(c) Other use (describe fully under "No. 12. Remarks") N/A

(d) Power:

(1) Horsepower developed N/A

(2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point The portal of the Con Virginia
Describe as being within a 40-acre subdivision of public

No. 1 adit is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, S. 0°58'
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. 27" E., 1,749.45 feet of
sections 20, 21, 28 and 29, T.17N., R.21E. of the Mount Diablo
Meridian Baseline, Nevada.

6. Place of use The water will be used for dust control on haulage roads,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

for the purpose of mining and the milling of the recovery process
of the ore.

7. Use will begin about January 1, 1991 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) a holding tank will eventually be put
State manner in which water is to be diverted, i.e. diversion structure, ditches and
into place, but the water will take its natural water course until
flumes, drilled well with pump and motor, etc. this tank is applied for and approved by NDEP.

9. Estimated cost of works \$5,000.00

10. Estimated time required to construct works..... 6 months
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Exploration of the mine is presently taking place. Once the grade and the complexity of the ore is determined, then the exact amount of water that will be necessary for the recovery process will be determined for consumptive use.

s/Hugh Roy Marshall
P.O. Box 888
By Virginia City, Nevada 89440

Compared cc/ jjs

Protested _____

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed on or before _____

Application of water to beneficial use shall be made on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____ IN TESTIMONY WHEREOF, I _____

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed _____ office, this _____ day of _____,

Certificate No. _____ Issued _____ A.D. 19 _____

State Engineer

CANCELLED JUN 18 1991 BECAUSE OF
FAILURE TO REFILE CORRECTED APPLICATION
WITHIN STATUTORY TIME
[Signature] P.E.
STATE ENGINEER